

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 6,900,370)	Serial No. 09/749,601
)	
Inventor(s): Nicholas C. NICOLAIDES et al.)	Filed: December 28, 2000
)	
Issue Date: May 31, 2005)	Attorney Docket No. 001107.00069

For: METHOD FOR GENERATING HYPERMUTABLE PLANTS

REQUEST FOR CERTIFICATE OF CORRECTION

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop: Certificate of Correction Branch
401 Dulany Street
Alexandria, VA 22314

Sir:

Pursuant to 35 U.S.C. § 254 and 37 C.F.R. § 1.323, this is a request for the issuance of a Certificate of Correction in the above-identified patent. A copy of PTO Form 1050 is appended. The complete Certificate of Correction involves four pages.

The mistakes identified in the appended Form occurred through no fault of the Patent and Trademark Office, as disclosed by the records of the application, which matured into this patent. At Column 2, incorrect sequence identifiers were provided in the application as filed. The correct sequence identifiers are supported at Column 3, Lines 18-19 and Lines 32-34. Formal figure 1 replaced figure 1 as originally filed. Inadvertently, only page 3 of the figure was included in the formal drawings. Also enclosed is a copy of Printer Rush (PTO Assistance) indicating the examiner's recognition of these errors. These errors occurred in good faith without deceptive intent.

Issuance of the Certificate of Correction containing the corrections is earnestly requested. Please charge the requisite fee of \$100.00, and any additional fee, which may be associated to our Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: August 25, 2009

By: /Sarah A. Kagan/
Sarah A. Kagan
Registration No. 32,141

Banner & Witcoff, Ltd.
1100 13th St., NW, Suite 1200
Washington, D.C. 20005
(202) 824-3000

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.: 6,900,370
DATED: May 31, 2005
INVENTOR(S): Nicholas C. NICOLAIDES et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Column 2, Line 60:

Please delete "SEQ ID NO: 14" and insert -- SEQ ID NO: 12-- .

In Column 2, Line 63:

Please delete "SEQ ID NO: 16" and insert -- SEQ ID NO: 14-- .

In Column 2, Line 67:

Please delete "SEQ ID NO: 14" and insert -- SEQ ID NO: 12-- .

In Column 3, Line 3:

Please delete "SEQ ID NO: 16" and insert -- SEQ ID NO: 14-- .

In Column 3, Line 16:

Please delete "Fig. 1" and insert --Fig 1A, Fig 1B and Fig 1C.--.

In the Drawings, Sheet 1 of 13:

Please delete Fig. 1 and insert Fig 1A, Fig 1B and Fig 1C (seen below).

Mailing Address of Sender:

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U.S. PAT. NO. _____
6,900,370
No. of add'l copies _____
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☐ _____

	1		70
humEMS2	(1)	ATACCCGCGCCACACCTTACAAACAACGCGCAACCC-----ATCAAAATGTCCTCCTCCT	
AtEMS2	(1)	ATGACACGATCTCTCTCTCTCCACCAATACACCTTCTCTTCTCAACGATCAACCAACCC	
Consensus	(1)	ATC A CAC T CC T C CT CTA C AT A AACTAT A C AA	
	71		140
humEMS2	(65)	CACCTCTCACCTTCTCTTACCACTCCACCACTTACCACTTACCTTACCTTACCTTACCTT	
AtEMS2	(71)	TAAATACACAGCT	
Consensus	(71)	A T CA AT TC TC CC CA CT T T CT C CC CT AACCACT T CT CA AA	
	141		210
humEMS2	(135)	CGATCT	
AtEMS2	(141)	CGATCT	
Consensus	(141)	ACTCT CA CC CC CCAAC A TAT CA T AA CT CACTA CC C CA T TT A CT	
	211		280
humEMS2	(205)	TCAATCT	
AtEMS2	(211)	ATTATCT	
Consensus	(211)	CACAATCC TCTCC T A AAC AA CT CCAAC C	
	281		350
humEMS2	(246)	CTTAA-----CTCAATCT	
AtEMS2	(281)	ATCTTTTCTCACT	
Consensus	(281)	T CT CT AA CACCA AC TCTAA T A CA TT C CA CT T A TTCA ACTT	
	351		420
humEMS2	(311)	TTCATCT	
AtEMS2	(350)	ATCTTTTCTCACT	
Consensus	(351)	TCC TTT C CC CAACC TCACTCT CT TCTCCA TC C AT TCAC T AC C C A	
	421		490
humEMS2	(379)	TCCT	
AtEMS2	(420)	TCCT	
Consensus	(421)	C AT CC A CTTC AC C TCA CTTCATCA TCC TTA T C CAAA	
	491		560
humEMS2	(448)	TCCT	
AtEMS2	(488)	TCCT	
Consensus	(491)	C C CCC A CC ACCAC CTCA CT C ACTT TT TC A TACCTCT CC AA CA T	
	561		630
humEMS2	(518)	TCCT	
AtEMS2	(557)	TCCT	
Consensus	(561)	TT A CCAATAT AA CA TATC AA T CT T TT A CCAAT T ATT C	
	631		700
humEMS2	(588)	TCCT	
AtEMS2	(627)	TCCT	
Consensus	(631)	ACC T CC T TCC C AA C TCC AA AA C A AC CTCT CT C CA	
	701		770
humEMS2	(658)	TCCT	
AtEMS2	(696)	TCCT	
Consensus	(701)	A CA CA AA CC A C C	
	771		840
humEMS2	(728)	TCCT	
AtEMS2	(702)	TCCT	
Consensus	(771)	TTCA C TA CA T A A AC CTCT TC CAAT A	
	841		910
humEMS2	(798)	TCCT	
AtEMS2	(743)	TCCT	
Consensus	(841)	TTTACA TC T CA CC TCC TCCA C A TT A CACA CACACT T	
	911		980
humEMS2	(868)	TCCT	
AtEMS2	(796)	TCCT	
Consensus	(911)	TTCTTTAT AA C CCCCC CA CAAA CTC CCA T CTCAATCAC T TA A A T	
	981		1050
humEMS2	(938)	TCCT	
AtEMS2	(863)	TCCT	
Consensus	(981)	A AA T C A TATCCA TT TTCT A TT TCT T C A TCAT T AATC	
	1051		1120
humEMS2	(1007)	TCCT	
AtEMS2	(933)	TCCT	
Consensus	(1051)	T AC CC CATAAAC A T TT T CA CA A CTCT TCTT C CTCT OTTT	
	1121		1190

Figure 1A

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PRINTER RUSH

(PTO ASSISTANCE)

IFW

Application: <u>09/749601</u>	Examiner: <u>Krusz</u>	GAU: <u>1638</u>
From: <u>cwc</u>	Location: <u>IDC</u> FMF FDC	Date: <u>1-20-05</u>
Tracking #: <u>06025814</u>		Week Date: <u>10-18-04</u>

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM		<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input checked="" type="checkbox"/> Other
<input type="checkbox"/> DRW		Sequence Listings 12-28-2000
<input type="checkbox"/> OATH		
<input type="checkbox"/> 312		
<input type="checkbox"/> SPEC		

[RUSH] MESSAGE:

- Sequence listing of 12-28-2000 cites 15 sequences on page 1 but contains 14 sequences

- STIC copy in CRFL 3-18-02 cites 14 sequences

- Spec page 4 of 31 12-28-2000 refers to Seq. List No 16 should pp. 13-20 of seq. list. be printed? If so, where: with seq. listing or before claim section

Please resolve Thank you

[XRUSH] RESPONSE: The SEQLIST line <160> of 12/24/2000 is an error and should refer to 14 sequences, the CRFL of 3/18/2002 is correct. Do NOT publish pages 13-18 of the 12/28/2000 SEQLIST, pages 19 and 20 are part of Figure 1, not page numbers. The references to SEQ ID NO: 14 on page 4 of the specification are typographic errors. I have contacted the Attorney to suggest the file a Certificate of Correction. These issues do not affect the claims.

INITIALS: DMK

NOTE: This form will be included as part of the official USPTO record, with the Response of 1 February 2005 document coded as XRUSH.

REV 10/04

PRINTER RUSH

(PTO ASSISTANCE)

IFW

Application : 09/749601 Examiner : Kruse GAU : 1638

From : cwc Location : IDC FMF FDC Date : 1-20-05

Tracking # : 06025814 Week Date : 10-18-04

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449	_____	<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS	_____	<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM	_____	<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW	_____	<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW	_____	<input checked="" type="checkbox"/> Other
<input type="checkbox"/> DRW	_____	<i>Sequence Listings</i> <i>12-28-2000</i>
<input type="checkbox"/> OATH	_____	
<input type="checkbox"/> 312	_____	
<input type="checkbox"/> SPEC	_____	

[RUSH] MESSAGE:

- Sequence listing of 12-28-2000 cites 15 sequences
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should pp. 13-20 of Seq. List. be printed?
If so, where: with seq. listing or
before claim section

Please resolve Thank you

[XRUSH] RESPONSE:

INITIALS:

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04